



Lamoine Board of Selectmen

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Minutes of November 5, 2009

Chair Jo Cooper called the meeting to order at 7:03 PM

Present were: Selectmen Kermit Theall, Gary McFarland, Cynthia Donaldson, Richard Fennelly, Jr., S. Josephine Cooper; Administrative Assistant Stuart Marckoon, Parks Commissioners David Grasso, Christa Brey, Kerry Galeaz, Nathan Mason; Road Commissioner/Deputy CEO/Planning Board Alternate/Assessor Michael Jordan and Lucie Hutchins (briefly).

Agenda Review – Stu noted there were several addenda.

Minutes of October 15, 2009 – Richard handed in a few minor corrections. Jo moved to approve the minutes with the corrections. Richard 2nd. **Vote in favor was 5-0.**

Expenditure Warrant 9 – Selectmen signed the warrant for \$663,783.34. Stu noted that \$611,000 was to transfer into the investment accounts. Cynthia asked about an office supply reimbursement item. Stu said the person to whom it was owed had generated an invoice for it, and it has been charged to the fire truck purchase account.

Cash & Budget Report – Stu noted that the town managed to get through October without having to borrow to cover the bills. Richard asked if there was enough cash flow to operate now. Stu replied that there is.

Hodgkins Scholarship Forms – Jo signed the form for Maine Community Foundation as requested without objection.

Automobile Graveyard Renewals – Jo opened a public hearing for the two automobile graveyard applications received from Pro Auto. She noted that no one from Pro Auto was present at the hearing, and she wished that there was. She noted the area on the application form in regard to screening is confusing. Richard said it's difficult from the plan to note the footage and the setback from the road of the two auto graveyards. Selectmen suggested that the application form be sharpened up, and to communicate to Pro Auto that attendance, while not mandatory, is greatly appreciated. There being no other comments, the hearing closed at 7:13 PM.

Jo moved to approve renewal of both automobile graveyard applications submitted by Pro Auto. Gary 2nd. Cynthia requested that with the permits, a request that someone from Pro-Auto attend the hearing be sent. Richard said attendance is not required. Michael Jordan said the Selectmen always have the option to table or deny the permit. A short discussion followed. Jo said she had no desire to put anyone out of business and she didn't have any concerns about the two applications, though she would have liked to be able to meet with the owner. Kermit suggested that the form could be changed. Richard said if the ordinance does not require that the applicant be present, a

demand could not be made. He suggested that if there was an answer to a specific question that could not be obtained, approval could be delayed. **Vote in favor of renewal was 5-0. Selectmen signed the renewed permits.**

Meeting with Parks Commissioners – Jo said the Selectmen have wanted to invite the various Board and Commissions to meet with them on a regular basis, and this was the Parks Commission's turn. She said she was excited to see the finished product for the kiosks. Kermit said the kiosk layout was cool stuff. Parks Commission chair Kerry Galeaz said the full size versions will be sent to Canada for production in a couple of weeks.

Mr. Galeaz said the Parks Commission has had an interesting existence. He said there has been a turnover in membership since the commission was re-formed by ordinance, and that has presented some continuity issues. He said the road to Bloomfield Park has been completed, and Lamoine Beach Park is much better. He said there has been a lot of progress in the past few years, and the commission is laying low until the kiosks are completed. He said they established trails at Bloomfield Park, and those should be finished next year. He said they would finish the woods floor cleanup as well.

Mr. Galeaz said the future at Bloomfield Park may include a privy, much like Lamoine Beach. He said that has become a major issue with park users, and is a sanitary issue for Blunt's Pond. He said there might be as many as 40-people using the pond in the summer on a hot, sunny day. Richard said the town will be dealing with building a privy at the transfer station in the coming months. Mr. Galeaz said it would be good to know the final cost. He said there might be some grant money to help get the job done.

Richard noted that he had attended the Regional Shellfishing Committee meeting, and part of the ordinance requires license holders to perform some community service time for conservation. He said part of that could be a cleanup at Lamoine Beach. He said that would tie in nicely with the Conservation Commission and shellfish management. Jo said perhaps the conservation requirement could help with the Parks Commission. A brief discussion on the potential shellfish licensing requirements followed.

Mr. Galeaz said Bloomfield Park will get a new entrance sign. Jo said she gets the feeling that more people are paying attention to the park and there seems to be less vandalism. Richard asked if there was an issue with vandals this summer. Mr. Galeaz said he was not aware of any. He said the last two years have been great. He said they do need to deal with the grade of the entrance onto Asa's Lane, and he may get an estimate on that. He said it's dangerous to turn left onto Asa's Lane. There was a discussion about posting a speed advisory sign.

Kermit asked about the charcoal grills at Lamoine Beach. Mr. Galeaz said the new grills are here. He explained that they wanted to bring them in for the winter, so sleeves have been constructed to place the grills at the beach with locking devices. He said those were re-done and by the time they were ready, the season was over. He said there are new tops for the trash cans, and those also arrived late in the season. He said both will be installed in the spring. In addition to the trash can tops, the grills, and the kiosks

being installed net spring, they're also looking at re-establishing the water pump for foot washing at Lamoine Beach, and picnic table maintenance or replacement. He noted that picnic tables cost about \$600 each. He noted that "hand-me-down" tables have been placed by the shore at Bloomfield Park. He said they are also talking about putting in a pet center to help residents clean up dog waste, which has become a subject of complaint at the parks. He noted the bathroom maintenance arrangement is working out well.

Jo said the commission has accomplished a lot in its short time of existence. She asked if they had the support they needed. Mr. Galeaz said new member Sue Belanger was unable to attend tonight, but the commissioners are learning about each others' schedules and there was some need for people power. He said the bulk of their big efforts is nearly over. He said they need to come up with a campaign with a fund raiser to fill the coffers for the parks in the future.

Richard asked about the ice fishing derby. Christa Brey said they split the proceeds with the snowmobile club, and each made about \$150. She said there were about 90 people who attended last February. She said they hope to do the event again this year. She said it was good, inexpensive fun. There was a discussion about maybe combining that event with a dinner or some sort of winter festival.

Mrs. Brey said once Lamoine Beach is ready next spring, it would be nice to have an event for the townspeople at the beach. Cynthia said there will be a big event with the sculpture at Lamoine State Park, so the dates would need to be coordinated. Mr. Galeaz noted the parks have been left to the town and it's the town's responsibility to take care of them. He said the budget is not that big, and a lot of residents take advantage of the area. Jo said partnering with other groups like the snowmobile club is a great idea. She said there is a lot of people power available. A short discussion followed about volunteer groups.

Jo said she was impressed with the accomplishments of the Parks Commission. Richard said the Selectmen were trying to meet with each board once a year, but the boards and commissions can bring up any issues at any point during the year. There was a brief discussion about the budget process. Mr. Galeaz said a bare bones budget would be presented for 2010/11.

Letter for Solid Waste Support to Hancock County Planning Commission – Cynthia moved to sign the letter. Kermit 2nd. **Vote in favor was 5-0.**

Flag Display – There was a very brief discussion about the condition of the utility pole flags. Stu had produced a report while taking down the flags. Richard asked about donations to the program. Stu said there was a \$50 donation earlier and that Richard had contributed \$100 that day.

School Lot – Kermit said he thought the parking area had been laid out differently to include the area in front of the portable classroom to go to the fire department. Richard said parking could be addressed with the school department once the portable

disappears. There was a discussion about documenting previous communications with the Superintendent of Schools. Stu suggested placing the matter before the Planning Board and the Local School Advisory Committee. He said the items came in too late for next week's Planning Board meeting, but it could be discussed on December 1st. Selectmen had no objection to proceeding, and said someone should attend the Planning Board meeting.

Sale of Fire Engine 402 – Stu reported the bids were opened on Monday. He said there were two bids, one from a man in Harrington for \$407 in cash, and the other from K&T Environmental that was for labor and equipment exchange of \$1,700. He said the fire chief found the K&T bid to be in the best interest of the town and accepted that.

Transfer Station Privy – Stu said he checked with Karen Knuuti of the Maine Department of Environmental Protection, and she had no objection to an outhouse; it should be noted on the next annual report after it is built, and an updated site plan should be provided. He said the next step would be to hire a site evaluator to lay out the system. Richard asked who should do that. Stu suggested Bill LaBelle who has done lots of work in the area. There was no objection.

Election Results – Stu reported there was a 59% official voter turnout for the November 3, 2009 election. He said statewide, the excise tax and TABOR II questions failed. There was a brief discussion about excise tax and what some feel the basis for it should be.

Silver Star Day Resolve – Stu noted the issue was tabled last meeting. Kermit said if it doesn't cost anything, he would be for it. He said it would be like another Veterans' Day. He said it was a little strange for it to be solicited via e-mail. Jo said she'd not had a chance to look over the information. Cynthia asked what it would obligate the town to do. Stu said he believed it would be to display the Silver Star Flag on May 1st. Kermit said maybe Lamoine could wait and see what other towns do. Selectmen looked over the information. Cynthia asked who would be responsible for displaying the flag. There was a brief discussion about purchasing a flag, and a discussion of the flag program. Jo suggested this be referred to the Veterans' Memorial Committee. She noted that while the town is trying to be respectful, if things are not done carefully, it could be disrespectful. There was no objection to referring the issue to the Veterans' Memorial Committee.

Business Development – Jo said a response from Janet Toth was very practical and said they would like to meet again with the Selectmen. Cynthia said it's a great idea to get groups together and talking, and the suggestion from Ms. Toth is a positive step forward. Stu said he would gladly communicate with Ms. Toth and ask what to do next, and invite her and Roxanne Jobe to another meeting.

Returnable Application – Stu said he submitted an application to have the returnables collected for a month donated to the flag program. Jo moved to approve the application. Kermit 2nd. **Vote in favor was 4-0 (Fennelly abstained, name is on application)**

FairPoint Easement – Stu explained the easement is to allow telephone lines to cross town property. Jo moved to approve. Gary 2nd. **Vote in favor was 5-0. Jo & Kermit signed the form.**

Sale of wood from Verizon Wireless Project – Stu said he spoke with the contractor who wanted to know if the town wanted to sell the wood. Stu said he answered yes, though it might not generate much revenue. Selectmen instructed Stu to find a wood dealer to purchase the lumber.

Consent Agreement - Jo moved to sign the consent agreement with Ronald and Marie Simons in regard to the Shoreland Zoning Violation at their subdivision. Gary 2nd. **Vote in favor was 5-0, Selectmen signed the agreement.**

Foreclosure Notices – Stu reported he sent out certified mail with the 30-to-45 day notices to the 9-taxpayers who have not paid the 2007/08 tax liens. He noted that letters have been sent to personal property taxpayers who have not paid in full.

Road Maintenance Update – Road Commissioner Michael Jordan reported there was a problem with the project on Needles Eye Road. He said the contractor had replaced the culvert instead of adding a 2nd culvert to the area. He noted that the original culvert had started to rot at both the inlet and outlet, and the crew there decided just to replace it. Mr. Jordan said if Goodwin had called him, he would not have had authorization to order a replacement culvert, and the road would have been closed for another day. He said when the project was bid, the existing culvert could have been specified to be replaced, but it was not.

Cynthia said the problem is not with what they found, but that the contractor did not do the job as specified. Gary said they were not supposed to remove the other culvert. Mr. Jordan said Goodwin could put the old culvert back, but the town would have to replace it in short order. He said the contractor is willing to put in a new culvert for the price of that new culvert. Jo said that was OK with her. Cynthia said the town put out a bid for one new, additional culvert, not two new culverts, and that might be unfair to other bidders. Mr. Jordan asked what he should have done, had he been called with the situation. Kermit offered up an analogy he often encounters during construction. Richard asked what else the town should do. Mr. Jordan said he didn't like the way it happened. Stu said there was no question that Goodwin screwed up. Cynthia said if Goodwin was changing the job, there is some responsibility to contact the town. She said she's willing to go with the 2nd new culvert, but would be hesitant about using Goodwin again. Richard noted the town could reasonably ask the contractor to put the old culvert back, but asked whether we want that. Jo said if Goodwin is willing to do it for the cost of the new culvert, she is OK with that.

Kermit asked how to prevent something like this in the future. He said Goodwin is being a stand-up company for replacing for only the cost of the culvert. Jo moved to replace the rotted culvert for the cost of the new culvert as offered by Goodwin. Kermit 2nd. **Vote in favor was 4-0 (Donaldson abstained).**

Assessing Inquiry – Stu said he had drafted up a letter in consultation with the Board of Assessors to attorney Valerie Chiasson in regard to an inquiry about assessing. He noted the letter states her issue is to be addressed by the Board of Assessors. Selectmen had no objection, Jo signed the letter.

Budget – Cynthia asked about the Budget Committee's request to look at the Donation Review Ordinance. Stu said he believed the Budget Committee was waiting for the information from the Town of Rockport, and that has come in. There was a brief discussion about the matter.

Shellfish Advisory Committee – Richard reported that each town in the Regional Shellfish plan will need to provide some startup funding for the 1st year. Kermit asked how much that might be. Richard said the ordinance drafters, who did a very good job with the ordinance, suggested it would cost \$70,000, or about \$10,000 per town. He said there would be a request for each town, but the representatives asked them to pare it down a bit. Kermit said it's important to participate. Richard said the joint ordinance is a good thing. He said some people have questioned the value initially, but they are seeing the value of the industry to the towns. He said the ordinance remains under review.

Next Meeting – The next meeting dates for the Board are:

- a. November: 11/19/09
- b. December: 12/3/09, 12/17/09
- c. January: 1/7/10, 1/21/10
- d. February: 2/4/10, 2/18/10 (school vacation week?)
- e. March: 3/4/10, 3/18/10

Stu noted that he has adopted a schedule of meeting the 1st and 3rd Thursdays of the month. There was no objection by the Board.

Budget Workshop – The Board then entered a budget workshop and discussed the following items:

- Insurance Deductible
- Fire Radio Replacement
- Code Enforcement Budget
- Road Budget

There being no further business, the meeting adjourned at 9:03 PM

Respectfully submitted,

Stu Marckoon, Adm. Asst.

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